

REMARKS

Claims 1-28 are pending in the application. The Examiner has rejected Claims 1-5 and 7-19 under 35 USC 102(e) as being anticipated by the Frelechoux article; and, has rejected Claims 6 and 20-28 as unpatentable over Frelechoux in view of the teachings of the Illiadis patent. For the reasons set forth below, Applicants respectfully contend that the claims, as amended, are patentable over the cited art.

Applicants respectfully assert that the Frelechoux article is not a reference under 35 USC 102(e) since the invention was not "described in (1) an application for patent...by another...or (2) a patent granted on an application for patent by another" as required by the terms of 35 USC 102(e). The Frelechoux article was written by the present inventors and was published in August of 2000. Prior to its publication, on June 8, 2000, a European patent application, no. 00112291.0, was filed by the present inventors. Within one year of the filing of the European priority document, and well prior to one year from the publication date of the article, the present application was filed as a U.S. counterpart to the European patent application claiming the priority date of that application.

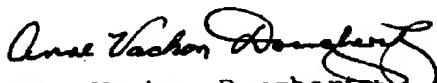
Accordingly, the article by the present inventors is not available as a reference against the present application.

Applicants request withdrawal of the rejections, all of which rely on the Frelechoux article as the primary reference. Applicants further assert that the additionally-cited Illiadis patent does not anticipate or obviate the invention as claimed.

Based on the foregoing, Applicants respectfully request entry of the amendments which are made to address potential antecedent basis concerns, withdrawal of the rejections, and issuance of the claims.

Respectfully submitted,
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